

## REMARKS

Claims 1-6, and 8-9 are pending in the present application and stand rejected. Claim 4 has been amended. The Examiner's reconsideration is respectfully requested in view of the following remarks.

### **Amendment to the Specification**

Applicants respectfully disagree with the Examiner's assertion that the amendment filed on 7/24/2006 contains new matter. The Examiner should note that a determination of "new matter" is not based solely on a lack of verbatim description, but rather, what is disclosed in the specification, claims, and drawings as a whole. Here the amendments are fully supported by the original disclosure, including the specification, the claims and the drawings as a whole.

The prior amendment to page 10, line 10- page 11, line 3 is not new matter because FIG. 1 and more specifically, element 101 of FIG. 1, page 3, lines 15-20, and page 10, lines 24-26 teaches a service engine having a queue manager which supports asynchronous requests based on a queue and a session manager which supports synchronous requests based on a session. It is generally known in the art, at the time of the invention, that a queue manager may manage one or more queues and a session manager may manage one or more sessions. Further, the originally filed claim 4 shows that asynchronized requests may be based on a queue and synchronized requests may be based on a session. This means that asynchronized requests are essentially managed by a queue and synchronized requests are essentially managed by a session. Accordingly, applicants assert that asynchronized requests managed by a queue and synchronized requests managed by a

session are fully supported by the disclosure. In any event, applicants have amended the specification, listed as the first amendment above, to clarify the corresponding management roles of the queue and session managers.

With respect to the second proposed amendment, through a typographical error, lines 9-11 inadvertently referenced FIG. 4 and lines 12-14 inadvertently referenced FIG. 5. This is glaringly obvious by a quick examination of FIGS. 4 and 5, which clearly shows this error, and the above amendment is essentially a swapping of those lines. This amendment also includes the replacement of “service abstraction layer (platform-service interface) with “service abstraction layer (service-platform interface), which was previously objected to by the Examiner in paragraph 3, page 2 of the Final Office Action. The Examiner objects to this change as an attempt to establish a relationship between service abstraction layer (SAL) and service-platform layer that never existed before. This is incorrect because such a relationship was always present. The term “service-platform interface” is present in FIG. 4 as the title of FIG. 4 and lines 9-11 of the amended specification, as originally intended, states that FIG. 4 shows the Service Abstraction Layer. From this, one can clearly see that the terms ‘service’ and ‘platform’ were inadvertently swapped and the amendment merely aims to correct this error which is consistent with the scope of the disclosure.

The Examiner also objects to the previous amendment of page 9, line 19-page 10, line 2, as constituting new matter. Specifically, the Examiner objects to the bolded portion of the following statement:

After getting the data from the backend system through the platform kernel, the device gateway then transforms an **XML response returned by the platform kernel section into a device readable page by transforming the XML response into a file format** which is adapted for the device and transforming among

communication protocols based on script languages of the device and sends the page to the device over the network

This is incorrect because the statement in its entirety is fully supported by Applicant's specification. The device-platform interface is defined on page 6, lines 9-11 of Applicant's specification to be the device abstraction layer which receives XML responses returned by the platform kernel section as illustrated by the arrow labeled XML in FIG. 1 between the service engine 101 and the device abstraction layer. Further, page 9, lines 19-22 of Applicant's specification states the gateway is in the device abstraction layer and transforms the page (i.e., XML page or response) into a device readable page.

In any event, for purposes of cooperation, Applicants have amended the specification, listed above as the third amendment, to directly include portions of text from claim 6.

#### **Claim Rejections – §112**

Claim 1 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, on page 3 of the Final Office Action, the Examiner states the following:

[A]pplicants disclosure never describes “a device-platform interface, for accepting device requests issued by devices wherein said device requests are in a device specific format, transforming the device requests into XML request and then sending the XML requests to a platform kernel section, and transforming XML responses which are returned by the platform kernel section into the device specific format”.

Again, the basis for this finding is erroneously derived from the Examiner's mistaken belief that there must be a verbatim description between claims and disclosure to

satisfy 112, written description. However, the specification is wholly replete with disclosure to support the subject matter of claim 1.

The device-platform interface is described on (page 6, lines 9-11 of Applicant's specification) to be the device abstraction layer. Page 2, lines 21- page 3, line 2 states the device abstraction layer "accepts requests from devices and transforms them into XML and then sends them to the kernel of the platform" and "transforms the response XML documents from the platform into a device specific format for presentation". Page 9, lines 19-22 of Applicant's specification states that the device gateway sits in the device abstraction layer and that the device gateway accepts requests from a device over a network protocol and transforms the request into XML, and then sends the request to the platform kernel.

So there is a disclosure of *a device-platform interface accepting requests from a device* because the gateway is in the device abstraction layer, which is defined as the device-platform interface. And it is implied that these *device requests are in a device specific format* (i.e., a format specific to that device) because the gateway is accepting requests directly from the device. Next, there is a disclosure of *transforming the device requests into XML request* because the gateway transforms the request into XML. Next, there is a disclosure of *sending the XML requests to a platform kernel section* because the gateway sends the request to the platform kernel. Further, there is a disclosure of *transforming XML responses which are returned by the platform kernel section into the device specific format* in FIG. 1, page 9, line 23 – page 10 lines 1-3, and page 2, line 24- page 3, line 2. Specifically, there is a an arrow labeled "XML" which shows XML requests being transferred from the service engine (defined on page 10, lines 15-16 to be

part of the platform kernel) to the DAL. Further, page 9, line 23 – page 10 lines 1-3 discloses after getting the data from the platform kernel, the gateway transforms a page into a device readable page to be sent to the device. In addition, page 2, lines 21- page 3, line 2 discloses that the device abstraction layer transforms response XML documents from the platform into a device specific format.

Accordingly, since there is support in Applicant's specification for the above claim language, the 112 rejection for claim 1 should be reversed.

Claim 4 has been amended to restore the claim as originally filed. The specification has been amended to address the 112 rejection, and is listed as the first amendment above.

#### **Claim Rejections – §102**

Claims 1-2, 4, 6, and 8-9 stand rejected under 35 U.S.C. §102 as being anticipated by Lonroth. Applicants respectfully submit that at the very least, Lonroth is legally deficient to establish a prima facie case of anticipation against claim 1. Specifically, Lonroth does not teach or suggest a *platform kernel section for managing user information, device information and service information*, as essentially recited *inter alia*, in claim 1.

The Examiner states that Lonroth teaches a *platform kernel section for managing user information, device information and service information* on col. 6, line 1- col. 7, line 36. It is respectfully reminded that the Examiner has the burden to establish anticipation by showing how Lonroth discloses each and every limitation in the claims. The Examiner has recited over a hundred lines of text without any analysis of the claims.

It is not the Applicant's burden to show why Lonroth does not anticipate the claims. In any event, it is respectfully submitted that Examiner's characterization of the teachings of Lonroth is misplaced. The cited lines teach an XML processor 242. So it is assumed that the Examiner is suggesting the cited lines teach the XML processor 242 to be the platform kernel section for managing user, device, and service information. However, this is not correct because col. 6, lines 1-8 teaches that the purpose of the XML processor 242 is to receive XML request documents from the XML preprocessor 240, parse the document, and resolve unresolved links it encounters by making calls through one or more XML gateways. There is simply no mention in the cited lines of the management of user, device, or service information. Further, Applicants can not find anything in Lonroth which is equal to or equivalent to a platform kernel section for managing user, device, and service information.

In addition, Lonroth does not teach or suggest, a *platform kernel section providing one of a synchronized and an asynchronized service engine*, as essentially recited *inter alia*, in claim 1. The Examiner states Lonroth teaches a *platform kernel section providing one of a synchronized and an asynchronized service engine* in the same hundred plus lines that was previously cited as disclosing a platform kernel section for managing user, device, and service information, namely col. 6, line 1- col. 7, line 36. However, this is not correct because there is no mention in the cited lines or elsewhere in Lonroth of a platform kernel providing one of a synchronized and asynchronized service engine.

Accordingly, for at least the reasons above, and those of the prior Appeal brief, Lonroth does not anticipate claim 1. Moreover, claims 2, 4, 6, and 8-9 are patentable over Lonroth at least by virtue of their dependence from claim 1.

### **Claim Rejections -- §103**

Claims 3 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lonroth. At the very least, claims 3 and 5 are patentable because they depend from claim 1, which is not anticipated by Lonroth for the reasons stated above. Additionally, Applicants submit that Lonroth is patentable for the reasons presented in the prior Appeal brief.

### **Conclusion**

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

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